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July 3, 2002

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VIA US MAIL AND FACSIMILE 615/741-5015

Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37238

Re: *Docket to Establish Generic Performance Measurements, Benchmarks  
and Enforcement Mechanisms for BellSouth Telecommunications, Inc.*  
Docket No. 01-00193

Ladies and Gentlemen:

BellSouth provides this letter in reference to the Order issued on June 28, 2002 in the above-referenced docket. In light of several issues relating to the modifications to the original Order, which were memorialized in the June 28 Order, BellSouth anticipates that it will seek reconsideration of the June 28 Order within the 15-day period permitted under the statute.

The June 28 Order includes required performance measurements and implementation deadlines. As discussed more fully below, BellSouth intends to comply with the Order, to the extent possible, pending reconsideration of the Order. With respect to three of the performance measurements established in the Order, BellSouth believes that it will be unable to implement those measurements in the ten-day timeframe required pursuant to the Order. Accordingly, BellSouth intends to seek a stay of the Order to the extent necessary to provide BellSouth sufficient time to implement these measurements, pending review of the Order. The time to seek a stay of the Order under Tennessee law would ordinarily expire after seven days, requiring BellSouth to file a petition for stay by Friday, July 5. BellSouth has been informed, however, that the Authority will not be accepting filings during the week ending on July 5<sup>th</sup> due to the closing of various state offices and the furlough of government employees related to the government shutdown. In light of this situation, BellSouth is obviously unable to make any filing within the seven-day period provided under the statute. BellSouth intends to file its petition for stay immediately after the Authority begins accepting filings again.

In the Amended Order Granting Reconsideration and Clarification and Setting Performance Measurements, Benchmarks and Enforcement Mechanisms, ("Amended Order") docket No. 01-00193, the Authority ruled that each ordered measurement be adopted in timeframes of, respectively, 10 days, 90 days or 6 months, based upon defined criteria. Specifically, the Authority identified the measurements that should be implemented within 10 days of the Final Order as: "measures currently in place in Tennessee or other states". (Order, pp 38-39).

Exhibit A to the Amended Order lists twenty (20) measures for which implementation is required within ten days of the date of the Order. These measures include:

1. OSS-1 Average Response Time & Response Interval (Pre-Ordering/Ordering)
2. OSS-4 Response Interval (M&R)
3. PO-1 Loop Makeup – Response Time / Manual
4. PO-2 Loop Makeup – Response Time – Electronic
5. O-1 Acknowledgement Message Timeliness
6. O-2 Acknowledgement Message Completeness
7. B-3 Percent Daily Usage Feed Errors Corrected in X Business Days
8. B-3A Percent Billing Errors Corrected in X Days
9. M&R-6 Average Answer Time – Repair Centers
10. C-1 Collocation Average Response Time
11. C-2 Collocation Average Arrangement Time
12. C-3 Collocation Percent of Due dates Missed
13. OS/DA – 1 Speed to Answer Performance/ Average Speed to Answer - Toll
14. OS/DA –2 Speed to Answer Performance/ Percent Answered within "X" Seconds
15. D-3 Percent NXXs and LRNs Loaded by the LERG Effective Date
16. E-1 E911 Timeliness
17. E-2 E911 Accuracy
18. E-3 E911 Mean Interval
19. TGP-1 Trunk Group Performance – Aggregate
20. TGP-2 Trunk Group Performance – CLEC Specific

BellSouth has reviewed these measurements and has determined that eleven can be implemented within the ten-day period in precisely the manner required by the Order.<sup>1</sup> Six more measures can be implemented in this timeframe if very minor format and reposting variations from the Order are allowed temporarily. Three measures cannot be implemented in the 10-day timeframe. However, these 3 measures require substantial changes and should, therefore, not be in the 10-day implementation category.

As to the six measures that can be implemented with slight variations in format and reporting, four require state specific reporting, and removal of the regional reporting results. These include the measures, (1) PO-1 Loop Makeup – Response Time – Manual, (2) PO-2 Loop Makeup – Response Time – Electronic, (3) TGP-1 Trunk Group Performance – Aggregate and (4) TGP-2 Trunk Group Performance – CLEC Specific. Based on the current structure of the reports for these measures, BellSouth can provide the state specific data, but cannot remove the regional data within the ten-day implementation process. In order to remove the regional data, BellSouth will have to write scripts used to generate the PMAP reports as well as the web display design related to these reports.

Also, BellSouth currently generates four reports for the measures: (1) OS-1 Speed to Answer Performance/Average Speed to Answer – Toll, (2) OS-2 Speed to Answer Performance / Percent Answered within "X" Seconds – Toll, (3) DA-1 Speed to Answer Performance /Average Speed to Answer – Directory Assistance (DA), and (4) Speed to Answer Performance/ Percent Answered within "X" Seconds – Directory Assistance). The Order requires that these be collapsed into two (2) measures: (1) OS/DA-1 Speed to Answer Performance/Average Speed to Answer – Toll and (2) OS/DA-2 Speed to Answer Performance/ Percent Answered within "X" Seconds. BellSouth can report these measures separately, as they are currently reported, within the ten-day period.

Thus, with the above qualifications, the following measures can be implemented in the allotted time:

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<sup>1</sup> As stated in its Motion for Reconsideration, BellSouth cannot begin to report a measure in the middle of a month. Thus, in order to comply with the order, BellSouth has initiated each of these measures as of July 1, 2002. This means that, for these measures, actual compliance has been accomplished in one business day (from Friday, June 28, when the Amended Order was issued, until Monday, July 1).

1. OSS-1 Average Response Time & Response Interval (Pre-Ordering/Ordering)
2. OSS-4 Response Interval (M&R)
3. PO-1 Loop Makeup –Response Time / Manual
4. PO-2 Loop Makeup – Response Time – Electronic
5. O-1 Acknowledgement Message Timeliness
6. O-2 Acknowledgement Message Completeness
7. C-1 Collocation Average Response Time
8. C-2 Collocation Average Arrangement Time
9. C-3 Collocation Percent of Due dates Missed
10. OS/DA – 1 Speed to Answer Performance/ Average Speed to Answer - Toll
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13. E-1 E911 Timeliness
14. E-2 E911 Accuracy
15. E-3 E911 Mean Interval
16. TGP-1 Trunk Group Performance – Aggregate
17. TGP-2 Trunk Group Performance – CLEC Specific

The three measures that BellSouth cannot implement within the ten day period are: (1) B-3, Percent Daily Usage Feed Errors Corrected in X Days; (2) B-3A, Percent Billing errors Corrected in X Days; and (3) M&R-6, Average Answer Time – Repair Centers. With respect to the first two measures, the Authority adopted BellSouth's proposed substitute measures for the measures originally ordered, but changed the measures from diagnostic to parity with retail. Since these measures, as currently developed and designed, are produced as diagnostic measures, changing them to produce parity comparisons introduces numerous tasks that must be completed prior to implementation.

In its Motion for Reconsideration, BellSouth noted the numerous steps that are required each time a change is made to an existing measurement. (Motion, pp. 21 – 22). In particular, creating a parity basis for comparison requires statistical testing to generate performance results and penalty calculations. Also, the coding necessary to introduce these changes would require a detailed description of the output requirements, reconciliation between the design and coding requirements,

code development/testing, application code production, and output and presentation development. These steps cannot be completed within ten days.

Moreover, beyond the issues identified above, BellSouth does not have a comparable process to serve as a retail analog for the measure B-3A Percent Billing errors Corrected in X Day. Since a retail analog does not exist, a suitable standard and benchmark would have to be established prior to implementation of this measure. This will also delay implementation. For these reasons, implementation cannot be accomplished within the 10-day period.

As to the third measure identified above, M&R-6, Average Answer Time – Repair Centers, this metric is currently reported based on a parity comparison. The average answer time for CLEC repair centers is compared to the average answer time for BellSouth retail repair centers. Thus, the data provided to generate these reports are structured and fed to PMAP as an average answer time. The Authority ordered that reporting be done based on the percent of calls answered in a particular interval. To accomplish this, the structure of the data provided to create the reports will have to be changed. Interval buckets will then have to be established in PMAP to hold the data, which will later be compared to the associated benchmark established by the Authority. Thus, this measurement also cannot be implemented within 10 days.

Finally, once again, the Authority's stated basis for establishing the 10-day implementation requirement, is that these "[m]easures [are] currently in place in Tennessee or other states". (*Amended Order*, pp 38-39). Under the application of this standard, these three measures should not be included on the list to be implemented in ten days, since, as noted above, each will require substantial modification.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Guy M. Hicks', with a large, sweeping loop at the end.

Guy M. Hicks

GMH:ch

## CERTIFICATE OF SERVICE

I hereby certify that on July 3, 2002, a copy of the foregoing document was served on the following parties, via the method indicated:

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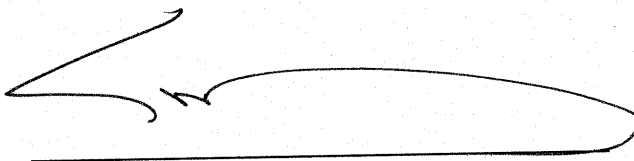
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